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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,731	07/31/2003	Takenori Yoshizawa	0717-0513P	9350

2292 7590 09/29/2004

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EXAMINER

WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

KB

<b>Office Action Summary</b>	<b>Application No.</b> 10/630,731	<b>Applicant(s)</b> YOSHIZAWA, TAKENORI	
	<b>Examiner</b> Alfred Joseph Wujciak III	<b>Art Unit</b> 3632	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/13/03 &amp; 8/11/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the first Office Action for the serial number 10/630,731, DISPLAY SUBSTRATE ACCOMMODATING TRAY AND APPARATUS AND METHOD FOR REMOVING THE DISPLAY SUBSTRATE, filed on 7/31/03.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 8/11/04 was filed after the mailing date of the filing date on 7/13/04. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6, line 19, "the mounted display substrate" is indefinite because it cites combination/subcombination problem. "The mounted display substrate" is not positively cited in claim 6.

Claim 8, lines 12 and 17, "the display substrate" is indefinite because it cites combination/subcombination problem. "The display substrate" is not positively cited in claim 8.

Claim 7 is rejected as depending on rejected claim 6.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Japan Patent Publication #11-059893 to Akihiro.

Akihiro teaches a tray (figure 1) comprising a bottom section (figure 4, above of element 23a) and a frame (21). The bottom section having a plurality of openings (27). The frame is provided along a periphery of the bottom section and projects to a level higher than a level of a top surface of the bottom section. The frame has a positioning portion (25) for determining the positional relationship between the tray and another tray to be stacked thereon. Furthermore, Akihiro teaches a plurality of first supporting member (33) and a second supporting member (28). The plurality of first supporting members are inserted into the plurality of openings.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 3632

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akihiro. in view of US Patent # 5,287,991 to Koda et al.

Akihiro teaches the tray but fails to teach the tray comprises an engaging section engageable with a carrying member. Koda et al. teaches the tray comprising an engaging section with a carrying member (36). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added the engaging section with the carrying member to Akihiro as taught by Koda et al. to provide convenience for transporting the tray to a different location.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akihiro in view of Japan Patent # 236,953 to Nakajima et al.

Akihiro teaches the bottom section and frame but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Akihiro's bottom section and frame with synthetic resin foam material as taught by Nakajima et al. to provide designer's preference of material to use for bottom section and frame.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akihiro.

Akihiro teaches a tray (figure 1) comprising a bottom section (figure 4, above of element 23a) and a frame (21). The bottom section having a plurality of openings (27). The frame is

Art Unit: 3632

provided along a periphery of the bottom section and projects to a level higher than a level of a top surface of the bottom section. The frame has a positioning portion (25) for determining the positional relationship between the tray and another tray to be stacked thereon. Furthermore, Akihiro teaches a plurality of first supporting member (33) and a second supporting member (28). The plurality of first supporting members are inserted into the plurality of openings.

Akihiro teaches all elements above but fails to teach the use of elements in method. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have specified steps for placing the trays in stack configuration and removing the display substrate to prevent from damaging the display substrate during the process.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent # 4,972,951 to Vartanian

US Patent # 5,344,022 to Stahl

US Patent # 4,759,451 to Apps

US Patent # 5,752,602 to Ackermann et al.

Ackermann et al., Vartanian, Stahl and Apps teach stackable tray having bottom section and frame.

Art Unit: 3632

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (703) 306-5994. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A Braun can be reached on 703 308 2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III  
Examiner  
Art Unit 3632

9/24/04

A handwritten signature in black ink, appearing to read "A. Joseph Wujciak III", with a stylized flourish at the end.